

MILFORD PLANNING BOARD MINUTES
DECEMBER 16, 2003

Present: Steve Sareault, Chairman
Jim Dannis
Tom Sloan
Noreen O'Connell, BOS Representative
Dick Damato

Bill Parker, Director Planning/Community Development
Lincoln Daley, Assistant Planner
Bobbi Schelberg, (temp) Admin Assistant

1. Minutes- November 18, 2003 & October 21, 2003
2. Charles & Anne Zahn – Mt. Vernon Road – Map 2, Lot 28 – Public hearing for a two lot minor subdivision – new application
3. Perry Industrial Park – Old Wilton & Perry Roads – Map 7, Lot 20 – Public hearing for a major site plan for the construction of a multi-unit warehousing development – new application.
4. John Kukulka – Nashua St. – Map 32, Lot 19 – Public hearing for a site plan for a real estate office – new application.
5. Falcon Ridge/River Road Trust – Maple St. & Whiting Hill Road – Map 3, Lots 4&5- Regional Impact Hearing and public hearing for a proposed open space subdivision of 46 lots – new application.
6. Granite State Boatworks/14A Broad St.,LLC – Corner of Westchester Drive and Elm Street. – Map 15, Lot 15-1 Public hearing for a major site plan for a new facility for boat storage, sales & service – new application.
7. Hitchiner Mfg. Co/Barrett – Elm St. – Map 7, Lot 6 – site plan for a golf driving range – tabled to next Planning Board meeting.
8. Hugh & Aubrey Barrett – Elm St. – Map 7, Lots 10 and 10-2 – Site plan for an 18-hole golf course – tabled to next Planning Board meeting.
9. Town of Milford/US Cellular – 1 Union Square, Town Hall – Map 26, Lot 178 – site plan for a telecommunication facility – tabled to next Planning Board meeting.
10. Town of Milford/Conservation Commission – Armory Road – Map 42, Lot 77 and Railroad – Continuation of a public hearing to transfer of fee interest of 3,946 SF to Map 47, Lot 15 to create a contiguous lot to Armory Road and incorporate the existing driveway.
11. Steve Talarico/Conversation Commission – Armory Road – Map 47, Lot 15 – Continuation of waiver of site plan review to provide off-street parking for four cars for hikers on the Rail Trail.
12. Frank Coffey – Elm Street – Map 18, Lots 2 and 3 – Rescission of previously approved site plan – continued from November 18, 2003.

Motion to approve: _____

Seconded by: _____

Signed: _____

Chairman Steve Sareault opened the hearing at 6:30 PM

1. **Minutes:** November 18, 2003 and October 21, 2003 minutes were not approved by Board members due to needed corrections. Motion by Jim Dannis, seconded by Steve Sareault, and all in favor.
2. **Charles & Anne Zahn** – Mont Vernon Road – Map 2, Lot 28 – Public hearing for a two lot minor subdivision. (New application)

Motion by the Board to determine regional impact of the minor subdivision application. Board unanimously voted that the application did not present an impact on the region.

Steve Sareault motioned to accept application seconded by Jim Dannis. Board unanimously voted in the affirmative.

Harold Murray from Hillsborough County Land Surveyors represented the applicants. Charles and Anne Zahn propose to subdivide Lot 2-28 into two lots, 2-28 and 2-28-2. The newly created lot will become a single-family residence for the applicants. The applicants and owner of the adjacent lot (Karl Zahn) have agreed to adjust the lot lines between their respective lots in order to meet the 200' frontage requirements for Lot 2-28-2. Parcel A (totaling .53 acres) will be conveyed from Karl Zahn to Charles Zahn. In return, Parcel B (totaling .67 acres) will be conveyed from Charles Zahn to Karl Zahn.

On October, 2, 2003, the Board of Adjustment granted approval of a special exception from to cross a perennial stream for Map2, Lot 28.

The Board raised the following questions/concerns:

- Compliance with the 200' frontage requirement. Mr. Murray responded that the newly created lot contains 200' of frontage on Mont Vernon Street.
- Additional details concerning the wetland crossing and proposed bridge. Mr. Murray responded that they are not going to do anything that will affect Beaver Brook. The driveway to be constructed will be a minimal width and will not impede the movement of any wildlife.
- Conditions set forth by the ZBA. Mr. Murray's stated that there were no conditions stipulated by the ZBA.
- Driveway easement across Lot 2-28-1. Mr. Murray stated that the subdivision plan incorporates the appropriate driveway easement across Lot 2-28-1.

No comments were made by the abutters or public. Meeting was then closed to the public.

Jim Dannis motioned to conditionally approve the applicants' minor subdivision application pending completion of the recommendations made by Staff. Motion seconded by Dick Damato.

The Board voted unanimously to conditionally approve the lot line adjustment and subdivision.

3. **Perry Industrial Park** – Old Wilton and Perry Roads – Map 7, Lot 20 – Public hearing for a major site plan for the construction of a multi-unit warehousing development. (New Application)

Jim Dannis motioned that he could see no regional impact, seconded by Steve Sareault. The Board voted unanimously in the affirmative.

Steve Sareault motioned to accept application, seconded by Jim Dannis. The Board voted unanimously in the affirmative.

Chad Branon from Meridian Land Services presented the application. The applicant is proposing to construct two (2) multi-unit warehousing buildings. The buildings will contain a maximum of twelve (12) units and be a minimum of 40' x 60'. All units will have a small office space, a restroom, a twelve-foot (12') overhead door, and three parking spaces. Mr. Branon presented building conceptual elevations of the proposed warehousing buildings.

During the presentation, the Board inquired about the proposed travel and fire lanes and the drainage of surface and stormwater onsite. The proposed travel and fire lanes were the result of the discussions with Fire Department to allow emergency vehicle access into the site. Surface and stormwater runoff would be handled by two 15" culverts (one on Perry Road and one on Old Wilton Road) and two treatment swales.

The site walked with Frank Richardson from State Wetlands bureau. The only concern was for the Boblink, a threatened species of bird. The applicant is proposing to dedicate approximately 10.4 acres (approximately 60% of lot area) on Lots 7/20, 7/19, and 7/18 for the purpose of creating a permanent conservation easement for the Boblink and other wildlife. This plan was developed with recommendations of the state. State of New Hampshire issued a wetlands permit for Lot 7/20.

The Board raised the following questions and/or concerns:

- Board wanted to know outcome of October 2nd Zoning Board Meeting and to see letters from Tom Neforas of waste treatment concerning sewer issues and Al Lociero Deputy Chief of the Fire Department to see if a hydrant is warranted in that area or if he had any concerns. A short discussion ensued among the Board and the applicant regarding the issues above.
- Compliance with the Town's Site Plan Regulations. The applicant responded in the affirmative.
- The Board requested to see the letter from the Conservation to the applicant detailing concerns relating the wetlands and easement. Diane Fitzpatrick of the conservation commission spoke briefly stating she couldn't tell the difference between dry and wetlands. Dealt with storm water issues and reduced site of plan development.
- Appropriate landscaping and fencing along Old Wilton Road/Perry Road and the potential impact on the wetlands. A discussion ensued as to the type of landscaping needed to make the site more visually pleasing from both roads and to mitigate the potential impact to the surrounding wetlands.

- The Board raised concerns over the hours of operation and lighting. The applicant responded by stating that business hours will be from 7am to 5 pm and that the wall mounting lights will be down cast and on a timer. Board had a brief discussion on the lighting in the area and wanted applicant to realize that people still live in the neighborhood and to avoid having lighting on for the duration of the night.

No comments were made by the abutters or public. Meeting was then closed to the public.

A brief discuss ensued regarding the status of the application. Board is Staff believed the application is ready for approval. Staff avowed that the application is ready for approval. Board voted to approve, pending the final landscaping plan. Lincoln Daley had one request that an easement be put on site plan for Lot 7/20.

Tom Sloan makes a motion to approve the application pending the conditions set forth in Staff Memo dated 12/16/03 and final landscaping plan. Jim Dannis seconded the motion. The Board voted unanimously in the affirmative. Application is accepted with conditions:

- Easement be memorialized – The easement on Lot 7-20 to be shown and memorized on the site plan.
- Details of the landscaping plan be finalized with Staff.
- Access – The entranceway into the industrial area be at a 90-degree angle.
- Sign downcast light and lighting not on twenty-four hours a day.
- A note on the plan indicating that all lighting for signs be downcast.
- A note on the plan indicating that lighting will remain on only during the hours of operation.
- Written letter for easement be decided – The owners of the property will work with the Milford Conservation Commission to establish the appropriate boundaries of the easements on Lots 7-20, 7-19, and 7-18. A written letter will be submitted by the applicants to the Planning Department indicating that good faith efforts have been made and that the boundaries have agreed upon.

4. **John Kukulka** – 487 Nashua Street – Map 32, Lot 19 – Public hearing for a site plan for a real estate office. (New Application)

Steve Sareault motioned that he could see no regional impact, seconded by Jim Dannis. The Board voted unanimously in the affirmative.

Tom Sloan motions to approve application, seconded by Jim Dannis. Board unanimously voted in the affirmative.

The applicant proposed to convert one 20' x 16' room in his existing house and a 22' x 14.5' three-seasoned porch into office space (Real Estate Brokerage Business). The three-season porch will be used primarily as a point of access into the office. The building envelope will not be structurally modified or enlarged. The lot is located in the Limited Commercial-Business District that allows the creation of office space. The newly created business within the dwelling is consistent with the definition of a home occupation and complies with all conditions stipulated in Section 10.023 of the Zoning Ordinance. A sign will be placed on

the property. The applicant will work the building inspector Kevin Lynch in order to comply with the current Sign Ordinance. There will be a ramp for handicap and separate room for office the entrance will be off of Charles Street. No other access off Nashua Street.

The Board raised the following questions and/or concerns:

- Landscaping along Nashua Street. A discussion ensued regarding the need for additional landscaping to soften view of the parking lot from Nashua Street.
- Board also had concerns about snow removal on site, the type lighting for the business sign, and drainage of stormwater and surface runoff.

Lincoln Daley raised an issue regarding the number of employees for a home occupation. The Town zoning regulations allow for one additional employee. If the applicant decides to expand the number of employees, he will have to go back to the Planning Board for approval.

The meeting was then opened to the public for comments. Spencer Brooks, P.O. Box 83, Wilton, NH talked about more native vegetation recommended height work with staff

Jim Dannis made the motion to approve the site plan subject to the following conditions:

- Preserve all existing trees and bushes long Nashua Street and to incorporate additional landscaping to soften view of the parking lot.
- More than one employee applicant must go back to receive approval from Board

Tom Sloan motions to accept application with conditions, seconded by Jim Dannis, and all in favor.

5. **Falcon Ridge/River Road Trust** – Maple Street and Whiting Hill Road – Map 3, Lots 4 and 5 – Regional Impact Hearing and public hearing for a proposed open space subdivision of forty-six lots – new application.

Lincoln Daley updated Board on last work session. The applicant has completed the Design Review Stage at the October Public Haring and has submitted a formal subdivision application for the December 16th meeting. However, portions of the application are incomplete (i.e. stormwater management plan, utility plan, etc. Therefore the Board should only proceed with the Regional Impact hearing.

Board discussed impact to adjacent Wilton Town Line, North River Road, Maple Street and Whiting Hill Road. A traffic study is proposed to see how it will affect the above areas. The houses will be on one-acre lot in open space lots. Approximately, two lots in Lynboro will be sized for septic systems and the rest will be on a municipal sewer. Board will review a bike/pedestrian path on North River Road.

The meeting was then opened for public comments.

Andy Romper, Lynboro Conservation Committee, Lynboro, NH. was prepared to speak tonight regarding road traffic, but will provide all comments in writing instead.

Judy Plant, Milford citizen asked the Board if the proposal takes into account the amount/speed of traffic on Maple Street and North River Road and drainage issues. Bill Parker responded by stating that those issues have not been fully examined as of yet.

Spencer Brooks, Wilton, NH was very interested in incorporating a trail system in and around the development.

Curtis Dogwood, North River Road, Milford, expressed concerns about inadequate sidewalk and trail system that allows enough room for fishermen and bicycles to travel safely.

Steve Sageault motioned to close regional impact hearing and welcome comments from the Board.

The Board raised the following questions and/or concerns:

- The Board asked Diane Fitzpatrick, Conservation Commission if she had straightened out the trails with the McClouds. Diane Fitzpatrick responded by stating that the Conservation Commission had not planned to put trails in the area, but the snowmobile club is approaching owners of the properties.
- Board agreed that the application is not ready to accept application. Staff is awaiting among other things, the storm water management plan.
- Preliminary Phasing Plan. A discussion began on the phasing plan proposed by the applicant. Board wanted to know how many years until completion. Applicant responded by stating that 12 houses were planned each year over a three-year time frame. A separate discussion began on how to calculate carry-over of building permits. Dick Damoto of Planning Board felt that a policy is needed so people know what phasing means and also that builders be upfront about costs to back it up.
- Questions were asked about construction costs etc. Board members concerned that a phasing plan of this magnitude would require two access points and not one long dead end road. Applicant stated that this would not be economically feasible given the cost to utilities (i.e. sewer - \$200.00 per foot). The Board ask the applicant to present something in writing concerning the phasing plan.
- The Board inquired about the status of the frog pond and if it had been drained yet Applicant said no it depends on the Army Corp looks like sometime next summer.

End of Discussion. No motion to accept application.

6. **Granite State Boatworks/14A Broad Street, LLC** – Corner of Westchester Drive and Elm Street – Map 15, Lot 15-1 – Public hearing for a major site plan for a new facility for boat storage, sales & service. (New application)

Board unanimously voted that the application does not present a regional impact. Jim Dannis motions to accept application, seconded by Tom Sloan. Board votes unanimously in the affirmative.

Jay Heavisides from Meridian Land Services presented the application. The applicant proposes to construct a 60' x 120' building for the purpose of a commercial boat sales/service business and gated boat storage area consisting of 158 spaces.

The Board raised the following questions and/or issues:

- Architectural design of the building. The Board raised several questions regarding the “boxy” appearance of the proposed building. Board wanted the building to look more compatible with other buildings in the area. Applicant concerned about the roof and injuries to employees as well as to the building. Architect defended the design by stating that the present plans are the best way to go.
- Parking of boats for display. After a brief discussion, the Board preferred that all boats used for display should be parked on the paved portion of the lot and not the grassy area. Board also wanted to limit of number of boats out in the area and then moved back at night.
- Jim Dannis inquired about full compliance or any waivers. Applicant responded stating that no waivers are needed and that all of the requirements have been met. Second question was in regards to ZBA action – conditions or requirements and there were no conditions.
- Proposed landscaping and fencing onsite. A brief discussion ensued among the Board members as to the preferred design and type of landscaping. The applicant is proposing to screen the building from Westchester Drive parking lot using (3) red maples, white fur, blue chip junipers, sea green junipers and hydrangeas. Following a brief dialog regarding aesthetics and security, the applicant agreed to incorporate a chain link fence with vinyl siding around the perimeter of the storage area.
- Lighting on site and signs. Applicant stated that he would use 60-70 watt bulbs and that no lighting will be installed in the storage area. Further, the applicant stated that three lights are purposed on overhead doors and one downcast.
- Entranceway into storage area. The applicant stated that the entranceway for the storage area is not designed as in/out.
- Proximity of business to day care center. Applicant states that peak hours of operation are on the weekend when the daycare is close.

Meeting was then opened for public comments. Kathy Bauer, a Milford citizen, inquired about the positioning of the signs and where it would face. The applicant avowed that the existing sign will be used – building mounted sign to what square footage is allowed.

After a brief Board discussion, Dick Damoto moved a motion to approve. Steve Sareault amended the motion adding that all fencing and landscaping be completed within one year. Jim Dannis seconds and all in favor.

Site plan approved with the following conditions:

- Boats on display be parked only the paved portion of the lot.
- Completion of screening and fencing a year from now.
- Stockade for dumpster instead of chain link. Chain link to be vinyl covered.

Dick Damato motions to approve, seconded by Jim Dannis. Board voted unanimously in the affirmative.

7. **Hitchiner Mft. Co./Barrett** – Elm Street – Map 7, Lot 6 – Site plan for a golf driving range. – tabled from 11/18/03 .

Motion to table by Tom Sloan seconded by Jim Dannis seconds. Board votes unanimously in the affirmative.

8. **Hugh and Aubrey Barrett** – Elm St. Map 7, Lot 10 and 10-2 – Public hearing on a site plan for an 18-hole golf course – new application. Tabled from 11/18/2003

Motion to table by Tom Sloan seconded by Jim Dannis seconds. Board votes unanimously in the affirmative.

9. **Town of Milford/US Cellular** – 1 Union Square, Town Hall – Map 26, Lot 178 – Site Plan for a telecommunication facility – tabled from 11/18/2003.

Town tabled again to next Planning Board meeting. Motion to table by Tom Sloan seconded by Jim Dannis seconds. Board votes unanimously in the affirmative.

10. **Town of Milford/Conservation Commission** – Armory Road – Map 42, Lot 77 & Railroad – Continuation of a public hearing to transfer of fee interest of 3,946 SF to Map 47, Lot 15 to create a contiguous lot to Armory Road and incorporate the existing driveway.

Diane Fitzpatrick of the conservation commission talked about trail easement of 20 acres whole parcel – deed transferring of property. Includes access trail and a place for maintenance not open to general public.

No questions from Board or audience.

Motion to approve the application by Dick Damato, seconded by Noreen O'Connell. Board votes unanimously in the affirmative.

11. **Steve Talarico/Conservation Commission** – Armory Road – Map 47, Lot 15 – Continuation of waiver of site plan review to provide off-street parking for four cars for hikers on the Rail Trail.

Noreen O'Connell requests conditions of approval is to have a sign of the parking lot asking that cars not back out of the driveway but to pull forward.

Noreen O'Connell motions to approve pending conditions set forth by Board, seconded by Dick Damato. Board votes unanimously in the affirmative.

12. **Frank Coffey** – Elm Street – Map 18, Lots 2 & 3 – Recission of previously approved site plan – continued from November 18, 2003. Frank Coffey was on the agenda 2nd item but did not show up until sometime later in the meeting and his agenda was moved to last place.

The Board provided the applicant with a minimum set of conditions, which he is to meet before the December 16, 2003 public hearing.

Applicant stated that the cars have been moved away from the street, but failed to have property landscaped before snow flew. He did buy stakes and painted them. He will also demolish the building ahead of schedule. Contractor agreed to do it in a 7-10 day period.

After a brief discussion on the issue of failing to comply with the conditions of the conditionally approved site plan, Steve Sareault made the motion to extend the deadline for compliance until May 1, 2004.

Tom Sloan motions to approve, seconded by Jim Dannis. Board votes unanimously in the affirmative.

13. Other

Steve Sareault inquired about additional concerns of the Board and/or Staff. Jim Dannis suggested formulating and the implementing a set of rules and procedures so that the Board is not in conflict with any state regulations or laws. Bill Parker strongly recommends rules and regulations be put in place. The Board should consider using the Town of Windham's or the Milford Conservation Commission's rules and procedures for guidance.

Noreen O'Connell questioned the absence of signage plans in the applications. Even though signage is part of the Site Plan Regulations, the Board is not seeing applicants' signage proposals.